

AMENDED IN SENATE MAY 20, 2002

AMENDED IN SENATE APRIL 30, 2002

AMENDED IN SENATE APRIL 22, 2002

**SENATE BILL**

**No. 1563**

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**Introduced by Senator Polanco**

February 20, 2002

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An act to amend Section 709 of, and to add and repeal Section 709.1 of, the Public Utilities Code, relating to telecommunications.

LEGISLATIVE COUNSEL'S DIGEST

SB 1563, as amended, Polanco. Telecommunications: services.

Existing law, the Public Utilities Act, sets forth the findings and declarations of the Legislature regarding described policies for telecommunications in California.

This bill, ~~in addition to existing policies, would refer to~~ *would include within those policies*, assisting in bridging the “digital divide” by encouraging expanded access to state-of-the-art technologies ~~by~~ *for* rural, inner-city, low-income, and disabled Californians, and ~~to encourage~~ *encouraging* fair treatment of consumers through consumer-oriented conduct ~~within the listing of the policies~~.

The bill would also require the ~~commission~~ *Public Utilities Commission*, not later than April 1, 2003, to convene a proceeding to develop a plan for encouraging the widespread availability of advanced telecommunications infrastructure, and would require the proceeding to encourage participation from a broad cross section of the telecommunications industries, including those entities that the commission does not regulate, as well as users and community representatives. *The commission would be required to encourage*

*participation by community-based organizations, including nonprofit community technology centers and libraries.*

The bill would require the commission to submit ~~by February 1, 2004, a report~~ to the Governor and the Legislature ~~a report no later than February 1, 2001,~~ of its findings and ~~recommendation~~ *recommendations* regarding the plan, ~~which that~~ identifies areas where telecommunications infrastructure is inadequate, assesses the consequences of this inadequacy, and develops strategies for encouraging the deployment of adequate investment.

~~These latter~~

*The bill would provide that the provisions concerning the commission's convening of a proceeding and the related report would be repealed on January 1, 2005.*

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 709 of the Public Utilities Code is
- 2 amended to read:
- 3 709. The Legislature hereby finds and declares that the
- 4 policies for telecommunications in California are as follows:
- 5 (a) To continue our universal service commitment by assuring
- 6 the continued affordability and widespread availability of
- 7 high-quality telecommunications service to all Californians.
- 8 (b) To encourage the development and deployment of new
- 9 technologies and the equitable provision of services in a way
- 10 ~~which that~~ efficiently meets consumer need and encourages the
- 11 ubiquitous availability of a wide choice of state-of-the-art
- 12 services.
- 13 (c) To assist in bridging the "digital divide" by encouraging
- 14 expanded access to state-of-the-art technologies ~~by~~ *for* rural,
- 15 inner-city, low-income, and disabled Californians.
- 16 (d) To promote economic growth, job creation, and the
- 17 substantial social benefits that will result from the rapid
- 18 implementation of advanced information and communications
- 19 technologies by adequate long-term investment in the necessary
- 20 infrastructure.
- 21 (e) To promote lower prices, broader consumer choice, and
- 22 avoidance of anticompetitive conduct.



(f) To remove the barriers to open and competitive markets and promote fair product and price competition in a way that encourages greater efficiency, lower prices, and more consumer choice.

(g) To encourage fair treatment of consumers through provision of sufficient information for making informed choices, establishment of reasonable service quality standards, and establishment of processes for equitable resolution of billing and service problems.

SEC. 2. Section 709.1 is added to the Public Utilities Code, to read:

709.1. (a) No later than April 1, 2003, the commission shall convene a proceeding to develop a plan for encouraging the widespread availability of advanced telecommunications infrastructure. The proceeding shall encourage participation that includes a broad cross section of the telecommunications industries, including those entities that the commission does not regulate, as well as users and community representatives. *The commission shall also encourage participation by community-based organizations, including but not limited to, nonprofit community technology centers and libraries, that have demonstrated success in assisting low-income residents in bridging the digital divide.*

(b) The mission of the plan is to identify areas where telecommunications infrastructure is inadequate, assess the consequences of this inadequacy, and develop strategies for encouraging the deployment of adequate investment.

(c) The commission shall submit ~~to the Governor and Legislature~~ a report of its findings and recommendations ~~by to the Governor and Legislature, not later than February 1, 2004.~~

(d) This section shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.